

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 5855
The NEA Fund for Children and Public)
Education: Case Closure under the)
Enforcement Priority System)

CERTIFICATION

I, Darlene Harris, recording secretary for the Federal Election Commission executive session on May 30, 2007, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions in the above-captioned matter:

1. Reject the recommendation from the Office of General Counsel to dismiss MUR 5855 on the basis of prosecutorial discretion as outlined in Heckler v. Chaney, 470 U.S. 821 (1985); as recommended in the General Counsel's Report dated May 16, 2007.
2. Find no reason to believe that the respondent in MUR 5855 violated any provision of the Federal Election Campaign Act or Commission regulations.
3. Close the file effective June 13, 2007 (two weeks from the date of the Commission vote).
4. Approve the appropriate letter.

Commissioners Lenhard, Mason, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

Attest:

June 1, 2007
Date

Darlene Harris
Darlene Harris
Deputy Secretary of the Commission

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